

FEB 26 2008

## FAX TRANSMISSION

DATE: February 26, 2008

PTO IDENTIFIER: Application Number 10/771,803  
Patent Number

Inventor: Lutz Freitag

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: PATTON BOGGS LLP

Michele V. Frank

PHONE: (703) 744-8000

Attorney Dkt. #: 023189.0101PTUS

PAGES (Including Cover Sheet): 4

## CONTENTS:

Response to Notice of Non-Compliant Amendment (1 page)  
Replacement Sheet drawing (1 page)  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 744-8000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

PATTON BOGGS LLP  
8484 Westpark Drive, 9th Floor, McLean, Virginia 22102  
Telephone: (703) 744-8000 Facsimile: (703) 744-8001

PTO/SB/97 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/771,803

Attorney Docket No.: 023189.0101PTUS

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 26, 2008  
Date



Signature

Amy Deliman  
Typed or printed name of person signing Certificate

Registration Number, if applicable

(703) 744-8000  
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Notice of Non-Compliant Amendment (1 page)  
Replacement Sheet drawing (1 page)

RECEIVED  
CENTRAL FAX CENTER

FEB 26 2008

Docket No.: 023189.0101PTUS  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Lutz Freitag

Application No.: 10/771,803

Filed: February 4, 2004

Art Unit: 3771

For: TRACHEAL CATHETER AND PROSTHESIS  
AND METHOD OF RESPIRATORY SUPPORT  
OF A PATIENT

Examiner: T. K. Mitchell

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 C.F.R. 1.121)Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

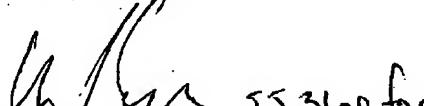
Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed February 21, 2008, Applicant respectfully submits a drawing which is properly identified as a "Replacement Sheet."

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-2228, under Order No. 023189.0101PTUS from which the undersigned is authorized to draw.

Dated: February 26, 2008

Respectfully submitted,

By   
Michele V. Frank  
Registration No.: 37,028  
PATTON BOGGS LLP  
8484 Westpark Drive, 9th Floor  
McLean, Virginia 22102  
(703) 744-8000  
(703) 744-8001 (Fax)  
Attorney for Applicant

3684020